

TAJKISTAN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects religious freedom; however, other laws and policies restrict religious freedom and, in practice, the government enforced some of those restrictions. The government's respect for and protection of the right to religious freedom continued to be poor. The law prohibits persons under the age of 18 from participating in public religious activities, and women were also effectively barred from attending Muslim religious services. Most members of minority religious groups were able to attend places of worship. Authorities prohibited the operation of some unregistered religious groups, and raided, monitored, and harassed members of both registered and unregistered groups. The government continued to express concern about Muslim religious practices and groups it perceived as representing a "foreign ideology" or a threat to social order. During the year authorities suspended the activities of seven of the country's eight madrassahs (Muslim religious schools). One madrassah providing both religious and secular instruction for students above the ninth grade continued to operate. The government required all persons studying religion abroad to register with the Committee on Religious Affairs (CRA), the Ministry of Education (MOE), and the Ministry of Foreign Affairs. The government also maintained bans on religious groups it classified as "extremist." Individuals remained imprisoned for religious activities or membership in groups deemed extremist. The MOE maintained a dress code banning hijabs (women's headscarves) in schools and universities. The government interpreted its authority to restrict religious activity very broadly and essentially asserted its right to approve or veto any religious activity.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

U.S. government officials regularly discussed the need to promote religious freedom with government officials, including CRA members. In April a visiting senior U.S. government representative discussed religious freedom with officials of the CRA. The Ambassador met with the chair of the CRA and with government ministers to address religious freedom and laws that affect it. Embassy staff and visiting U.S. government officials met with leaders of religious groups to discuss religious freedom.

Section I. Religious Demography

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The U.S. government estimates the total population is 7.9 million (July 2013 estimate). According to local academics, the population is more than 90 percent Muslim. The majority adhere to the Hanafi school of Sunni Islam as traditionally practiced in Central Asia. Approximately 4 percent of Muslims are Ismaili Shia, the majority of whom reside in the remote eastern Gorno-Badakhshan Autonomous Region.

There are approximately 150,000 Christians. The largest Christian group is Russian Orthodox; there are also Baptists, Roman Catholics, Seventh-day Adventists, Lutherans, and Korean Protestants. There are small numbers of Bahais and Hare Krishnas, approximately 700 Jehovah's Witnesses, and fewer than 300 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution protects religious freedom; however, other laws and policies generally restrict religious freedom. There is no official state religion, but the government recognizes the "special status" of Hanafi Islam. The law prohibits persons under the age of 18 from participating in public religious activities and attending the Hajj.

The CRA is the main body overseeing and implementing all religious laws. The nominally independent Council of Ulema issues fatwas and religious guidance to Islamic religious groups. The Center for Islamic Studies under the president's executive office monitors religious issues and helps formulate the government's policy toward religion.

The law provides for freedom of conscience and religion, including the right individually or jointly to adhere to any or no religion; freely choose and change any religious or other beliefs; and act in accordance with them.

The so-called "Parental Responsibility Law" prohibits persons under 18 from participating in public religious activities with the exception of funerals. With written parental consent, the law provides for minors between the age of seven and 18 to obtain a religious education in their free time from school classes and outside state education curriculum, and worship as part of educational activities at religious institutions.

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By law all religious groups must register with the government to operate. The CRA oversees this process. In the absence of registration, local authorities can force a place of worship to close and fine its members. The government maintains a list of banned groups it considers “extremist,” including Hizb ut-Tahrir (HT), Jamaati Tabligh (an Islamic missionary organization), and anyone proclaiming allegiance to the Salafiya movement or ideology.

The law restricts Muslim prayer to four locations: mosques, cemeteries, homes, and holy shrines. The law on religion regulates registration, size, and location of mosques, limiting the number of mosques that may be registered within a given population area. “Friday” mosques, which conduct prayers five times per day as well as the larger Friday prayers, are allowed in districts with populations of 10,000 to 20,000 persons; “five-time” mosques, which conduct only daily prayers, are allowed in areas with populations of 100 to 1,000. In Dushanbe Friday mosques are allowed in areas with 30,000 to 50,000 persons, and five-time mosques are allowed in areas with populations of 1,000 to 5,000. Mosques function on the basis of their self-designed charters in the buildings constructed by appropriate religious communities or citizens, or with the assistance of the population. The law stipulates that imam-khatibs (religious leaders who preach sermons and conduct weekly Friday prayers), and imams be selected by “the appropriate state body in charge of religious affairs.” The religion law allows one central Friday mosque per district or city, and makes other mosques subordinate to it.

The religion law requires that all institutions or groups wishing to provide religious instruction first obtain permission and register with the CRA. Only central district mosques may operate madrassahs for high school graduates. Other mosques, if registered with the government, may operate religious schools for younger students. Parents may teach religious beliefs to their children in the privacy of their home, provided the child expresses a desire to learn. The law, however, forbids religious homeschooling outside the immediate family.

The law provides criminal penalties for violating restrictions on sending Tajik citizens abroad for religious education, preaching and teaching religious doctrines, and establishing ties with religious groups abroad without CRA consent. The law also provides penalties for religious groups that engage in activities contrary to the purposes and objectives set out in their charter, and makes the CRA responsible for handing down fines for such offenses.

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A 2004 Council of Ulema fatwa prohibiting women from praying in mosques remains in effect, reinforcing official government policies regarding women praying in mosques. The fatwa states that, according to the country's Islamic traditions based on the Hanafi school of Sunni jurisprudence, women should pray at home. Women of other traditions, such as Ismaili Shia and Christian women, however, are not subject to the Council of Ulema's prohibition.

The government does not permit school and university students to wear hijabs. The MOE dress code does not permit teachers under the age of 50 to wear a beard. The law regulates private celebrations and funeral services, including weddings and Mavludi Payghambar (the Prophet Muhammad's birthday). The law limits the number of guests, eliminates engagement parties, and controls ceremonial gift presentations and other rituals. The religion law reiterates these principles, mandating that "mass worship, religious traditions, and ceremonies should be carried out according to the procedure of holding meetings, rallies, demonstrations, and peaceful processions prescribed by law."

The government tightly controls the publication, importation, and distribution of religious literature. Religious groups may produce, export, import, and distribute an unspecified "proper number" of religious literature materials. This, however, requires the advance consent of the appropriate state authorities. Only religious organizations are entitled to establish enterprises that produce religious literature and materials with religious content. Religious literature and materials for religious purposes produced by religious organizations must indicate the full name of the religious organization.

The CRA regulates participation in the Hajj. The CRA collects applications and fees for participation in the Hajj and makes all flight and hotel arrangements in Saudi Arabia. Persons under age 18 may not participate.

Government Practices

There were reports of detentions and imprisonment of individuals on religious grounds. The government generally enforced legal restrictions on religious freedom, broadly interpreting its authority to restrict religious activity to protect constitutional order, territorial integrity, security, public order, health and public morality, as well the rights and freedoms of others. The government asserted its authority to approve or veto any religious activity in order for such activity to be considered legal.

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Nongovernmental organizations (NGOs) and religious organizations complained that authorities sometimes refused to register religious groups, often on technical or administrative grounds. Without registration, such groups risked criminal or civil penalties for continuing to operate. Domestic and international NGOs stated that both registered and unregistered religious communities faced raids, surveillance, detentions, and forced closures of religious institutions. At year's end there were 76 registered non-Muslim religious groups.

In June Khujand city authorities initiated an administrative court case against Christian pastor Akmal Toshkhujayev for illegally setting up a chapel and conducting services in his two-room apartment. According to authorities, the "Faiz" (Grace) chapel was engaged in "religious propaganda" and provided Bible studies in the Tajik language without proper registration. Before it was raided and closed by authorities, Toshkhujayev's house church congregation included approximately 25 parishioners, many of whom were ethnic Tajik converts from Islam. The Department of Religious Affairs in Khujand told church members they did not have enough parishioners to be registered and that the church could not be located in a residential building.

During the year members of Jehovah's Witnesses continued to press the CRA to revisit its refusal to register the religious group. In October 2012, the Supreme Court rejected the appeal by a member of the Jehovah's Witnesses of the government's denial of its registration, about which Jehovah's Witnesses complained to UN bodies.

Religious minority leaders complained that the parental responsibility law impeded the activities of their communities. At least one registered Christian group ceased providing Sunday school classes to children out of concern over possible harassment or arrest by authorities.

On February 20, in Surkh, Sugd Region, 16 security officials raided the home of Abdumannon Sadikov and his wife, Munovar Sadikova, activists for the Islamic Renaissance Party (IRP), the country's only registered Muslim political party, during an event celebrating the Prophet Muhammad's birthday. According to Forum 18, a foreign NGO that promotes religious freedom, three to five women were fined for taking their children to this event. Authorities also detained Sadikov and sentenced him to 15 days in prison for "petty hooliganism" after he questioned the actions of the local authorities and attempted to get his wife and several of the other women released from questioning.

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In July a district court in Temurmaliq, Khatlon fined seven people 300 to 500 somoni (\$63-105) for permitting their underage children to attend evening prayers during Ramadan in violation of the parental responsibility law. District authorities claimed they had warned the parents before the beginning of Ramadan not to let their children attend these prayers. Authorities discovered the minors during an inspection to determine compliance with the law.

In April a district court in Asht, Sughd district fined Mahmudjon Qosimov 4,000 somoni (\$839) for “illegally conducting a birthday ceremony” in January. Qosimov’s appeal of his conviction was denied by a Sughd regional court in late May. According to media reports, Qosimov said that, although he was fined for conducting his son’s birthday celebration, it was in fact his son’s wedding. Due to insufficient funds for a traditional ceremony, he invited his relatives, neighbors, and local religious leaders to read the Quran. The Asht District Department of Religious Affairs deemed this action illegal and brought it before the district court.

In June police in Kulob detained Sadbarg Rahimova, a schoolgirl, and transported her to a police station for wearing a hijab. Police reportedly released Rahimova after approximately two hours. According to the media, police officials stated that her detention was not related to her hijab but speculated that Rahimova was probably detained on suspicion of being on a list of missing persons.

There were reports of authorities banning religious expression or practice. In February the CRA shut down two main prayer halls in the Shoh Mansur and Sultoni Kabir markets in Dushanbe. According to the Islamic Revival Party of Tajikistan’s website, the prayer halls were closed for lack of CRA registration and nonconformity with religion law regulations. The prayer halls reportedly hosted 80 to 400 people on a daily basis. CRA officials and police also fined the worshippers and forced them to sign written declarations that they would no longer hold prayers in these locations.

At year’s end the country had approximately 3,443 five-time prayer mosques, 366 Friday prayer mosques, and 44 central Friday prayer mosques (to which the other “Friday prayer” mosques in the district are subordinate). According to local religious leaders, government authorities closely monitored and often scripted the content of imams’ religious sermons. Government authorities also provided recommended themes for Friday sermons, issued certification tests to imams, and approved travel abroad for imams.

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Mosques generally enforced the 2004 Council of Ulema fatwa prohibiting women from praying in mosques. Many imams stated they believed they would face problems with the government if they allowed women to attend their mosques.

Prominent Muslim cleric Hoji Akbar Turajonzoda and various media sources stated that the government heavily influenced the work of the Council of Ulema and tasked it to promote official state policies regarding Islam. During the year the Council of Ulema maintained rules limiting beard lengths for men and prescribing clothing for women. During a January 8 press conference, CRA officials denied earlier reports that the Council of Ulema established the norms of men's beards and women's clothing at the CRA's instruction.

In May 2012, the Vahdat district court permanently banned Friday prayers at the Muhammadiya mosque. In December 2011, officials accused the leaders of the mosque of conducting Shia rituals. As of the end of the year, the authorities continued to permit only five-times-a-day worship at the mosque.

During the year the Dushanbe mayor's office did not uniformly enforce a 2012 ban on the use of loudspeakers for *azan* (Islamic call to prayer) in the city's mosques. The regulation prohibited the sound of the *azan* beyond the mosque to avoid disturbing city residents, particularly people of other faiths.

On May 28, CRA officials reported that nine "five-time" prayer mosques in Dushanbe had received permission to conduct Friday prayers.

The local government in Vakhsh, Khatlon region set up video cameras in all nine "Friday" mosques. Local government officials told the media the cameras were installed to ensure security. NGOs and religious groups expressed concern over such monitoring, which they deemed intrusive.

During the year the CRA suspended the activities of seven of the country's eight madrassahs. One madrassah that provided both religious and secular instruction for students above the ninth grade continued to operate in Dushanbe. In July the CRA closed five madrassahs in Sughd region, asserting that these schools failed to obtain a license from the MOE to conduct educational activities. These madrassahs had a combined student population of approximately 300. In October the CRA suspended the activities of a madrassah located in Tursunzoda, asserting that its curriculum was not in accordance with state standards. The madrassahs were attempting to revise their curricula and apply for government licenses but remained closed at year's end.

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In February the Khatlon regional government temporarily suspended the activity of one madrassah located in the Khovaling district, citing a “lack of proper documentation.” The head of the regional Department on Religious Affairs told the media that it suspended the madrassah’s activities due to concerns that it was not registered in accordance with the law and had not received a license to teach students from the MOE. A 1998 governmental decree approved the opening of this madrassah and a similar one in Kulob, but the madrassah in Kulob was never established. At the same time, authorities also closed two mosques in the region, citing “improper documentation.” Local authorities stated that the mosques would be able to reopen as soon as the imam-khatibs submitted the required paperwork.

On January 19, the Council of Ulema of the Islamic Center of Tajikistan released a statement recommending that religious figures, media outlets, and state television and radio refrain from spreading information about unauthorized fatwas released by individuals not related to the Islamic Center. The statement stipulated that, although the constitution protects freedom of speech, citizens should not make statements contradicting national laws and regulations. According to the statement, the Islamic University also prepared theologians, making it unnecessary for private individuals to issue fatwas. The statement also asserted that the charter of the Islamic Center stated that only the Islamic Center may issue fatwas, and that these fatwas should be observed by all Muslims in the country. The CRA later expressed its support for the statement.

In January the CRA informed the media that 27 imam-khatibs of Friday mosques did not pass certification by the Committee for 2012, and were therefore unable to serve as imams. In total, 401 imam-khatibs, including the Chief of the Council of Ulema, took the certification test. Those who did not pass it were given time to address potential problems before the start of their duties.

Human rights organizations stated that among the list of groups banned by the government as “extremist” were several peaceful minority Muslim groups. Approximately 95 members of Jamaat Tabligh, and an unknown number of Salafiya adherents remained imprisoned for religious activities. On June 24, authorities released from prison Sirojiddin Abdurahmonov, the leader of the country’s banned Salafiya movement, after his jail term had been reduced by three years under a 2011 amnesty. In 2010, the Sino district court in Dushanbe had sentenced Abdurahmonov, his son, and several other Salafis to prison on charges of “inciting national, racial, regional, or religious enmity.” Abdurahmonov had

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been sentenced to seven years imprisonment, while his son, who was also released under same amnesty, had been sentenced to five years.

According to media reports in November, over 500 Hizb-ut-Tahrir members were serving prison sentences.

The MOE oversaw implementation of legal provisions related to religious instruction in schools. Islamic education could be provided only at Islamic institutions. The MOE approved the rector, faculty, and all programs of study at the Islamic Institute of Tajikistan, the only Muslim higher education institution in the country. The government inspected the curricula at madrassahs and periodically monitored classes.

During the year the government closed at least two private religious schools not registered with the CRA. Some citizens complained that, because of transportation difficulties, it was difficult for children to attend registered religious schools.

There were reports of authorities taking action against private unregistered religious schools or gatherings. On February 12, an investigation determined that Ravshanbibi Nasriddinova, a resident of the Bobodarkhon village in the Asht district, was teaching girls the fundamentals of Islam in her home in violation of the religion law. A court fined Nasriddinova 280 somoni (\$59).

In June the Ministry of Internal Affairs fined two unregistered madrassahs run by local religious leaders. The first was located in the house of Mansur Mahmudov, “Sheikh Mansur,” in the Hissor district. Authorities determined that Mahmudov “illegally” taught 10 minors without the proper permit. The second school was in Shahrinav district in the house of Mubinkhon Hodiev, a cleric known as “Qori Mubin.” Six children studied at the school. The organizers of the madrassahs were fined and the madrassahs were closed, although the amount of the fine was unavailable.

The government did not register the country’s only synagogue, located in a building the government provided in 2010 after authorities destroyed the previous synagogue to build a new presidential palace, because the community was not large enough to meet formal registration requirements. The government, however, permitted worship without interference.

The government placed numerous restrictions on religious materials and publications. Authorities levied heavy fines on the “production, export, import,

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sale, and distribution of religious literature” without permission from the CRA. The government charged a fee per page to “review” religious literature before granting this permission. Government-owned media outlets did not regularly publish religious literature, but on occasion published copies of the Quran in Tajik.

Officials inspected bookstores, newsstands, kiosks, markets, and mosques, and confiscated unregistered religious materials. Vendors were allowed to sell basic Islamic texts including the Quran, the Hadith, the history of the Prophet, and prayer books. The government, however, did not permit vendors to sell Shia literature, texts considered “non-Hanafi,” or audio and video disks featuring prominent Tajik imams. The government restricted the sale of previously permitted foreign religious movies, in particular Iranian and Turkish movies.

Media and religious groups reported that authorities had seized religious literature from Muslims, Protestants, and Jehovah’s Witnesses. For example, Forum 18 reported that in mid-October authorities seized hundreds of booklets from IRP members. The booklets contained information on the meaning of the upcoming Eid al-Adha holiday. In September Dushanbe’s Shoh Mansur district court convicted a Baptist of “illegally importing unlicensed religious literature” and fined him 1,200 somoni (\$252).

Some women who wore hijabs were discriminated against by government officials and denied access to public events. When finalists from a beauty pageant sponsored by VIP magazine were invited to a June 27 meeting with the president, Shukrona Mirzoeva, a finalist who wore a hijab in the pageant in spite of the rules banning hijabs, was the only finalist not to be invited to the event. Mirzoeva informed the media that the Dushanbe Department of Culture had initially invited her to the event but rescinded the invitation once officials realized she was the finalist who wore a hijab.

The CRA reported that 6,300 citizens performed the Hajj in 2013. The fee to participate in the Hajj was 17,625 somoni (\$3,695), which was 425 somoni (\$89) more than in 2012. It included airfare, meals, lodging, medical care, special clothing, and an animal for sacrifice. NGOs noted that individuals who deviated from government-authorized Muslim practices and organizations were denied permission to perform the Hajj.

Section III. Status of Societal Respect for Religious Freedom

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There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. For example, some women who wore hijabs reported instances of discrimination.

Section IV. U.S. Government Policy

U.S. government representatives frequently and directly engaged with government officials on religious freedom issues, including during the April visit of a U.S. Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. In addition, embassy and visiting U.S. officials regularly met with representatives of religious groups, civil society, and government bodies, including the CRA, to discuss specific issues of religious freedom, including issues of re-registration of some non-Muslim religious groups. Embassy officials discussed religious freedom cases with diplomatic colleagues to coordinate efforts on monitoring cases and raising concerns with government officials.